

REMARKS

Summary of the Amendment

Upon entry of the present Amendment, Claims 6 and 7 will have been amended. Accordingly, Claims 6 and 7 remain pending in the present application. By the present Amendment and Remarks, Applicant submits that the rejections and objections have been overcome, and respectfully requests reconsideration of the outstanding Office Action and allowance of the present application.

Traversal of Rejection under 35 U.S.C. § 103(a)

Applicant respectfully traverses the rejection of Claims 6 and 7 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,599,035 to Ichinokawa (ICHINOKAWA) in view of U.S. Patent No. 5,748,934 to Shimazaki et al (SHIMAZAKI).

The combination of Ichinokawa and Shimazaki do not teach all the claimed features

Applicant's amended Claim 6 recites, *inter alia*, ... the motor being ... movable relatively to the holding unit in the direction of an optical axis. The Examiner acknowledges that ICHINOKAWA does not disclose this feature, but submits that SHIMAZAKI discloses this feature. On the contrary, Applicant submits that SHIMAZAKI does not teach the aforementioned features. Rather, SHIMAZAKI discloses a moving lens frame (11) coupled to a carriage (40) such that upon driving by the motor (21), the screw (10) moves the frame (11). As such, the motor (21) and the carriage (40) move the frame (11). There is no disclosure of the motor and the carriage being movable relative to the frame.

Additionally, Claim 6 recites that the motor and the bar-shaped guide member being "arranged to overlap with the holding unit as viewed from the subject side." Neither ICHINOKAWA nor SHIMAZAKI disclose this feature. In SHIMAZAKI, the lead screw (10), the guide bar (31), and the stepping motor (21) are not located in such positions that each member overlaps the holding unit (11), when looking at them from the subject side. In ICHINOKAWA, as shown in Figs. 2 and 3, the motor (23) and the guide member (11) do not overlap with the retaining unit (1a).

Since ICHINOKAWA and SHIMAZAKI fail to disclose the above-noted features of the present invention, Applicant submits that the combined references fail to disclose each and every feature of the present invention as recited in Claims 6 and 7.

The combination is improper

Applicant submits that the combination of ICHINOKAWA and SHIMAZAKI is improper. The Examiner states that it would have been obvious to combine the device of ICHINOKAWA with the driving unit of SHIMAZAKI for the purpose of moving the holding unit in the optical axis direction. The Examiner's stated purpose is misplaced in that the purpose of moving the holding unit is very different from the driving unit being movable relative to the holding unit.

Accordingly, Applicant submits that the Examiner has failed to provide an adequate evidentiary basis to support a rejection under 35 U.S.C. § 103(a) and that the rejection of Claims 6 and 7 is improper and should be withdrawn.

Conclusion

In view of the foregoing, it is submitted that none of the references of record anticipate or render obvious the Applicant's invention as recited in Claims 6 and 7. The applied reference of record has been discussed and distinguished, while the significant claimed features of the present invention have been pointed out.

Further, any amendments to the claims which have been made in this response and which have not been specifically noted to overcome a rejection based upon prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

If any additional fee is required, please charge Deposit Account No. 502456.

Respectfully submitted,

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